

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**LIGAYA SICAT OLIVEROS**

487 St. Francis Blvd  
Daly City, CA 94015

Registered Nurse License No. **693086**

Respondent

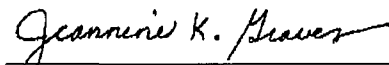
Case No. 2011-817

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **August 2, 2011.**

- IT IS SO ORDERED **August 2, 2011.**



\_\_\_\_\_  
President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
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4 State Bar No. 94811  
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Attorneys for Complainant  
7

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2011-817

13 **LIGAYA SICAT OLIVEROS**  
14 **487 St. Francis Blvd.**  
15 **Daly City, CA 94015**

16 **STIPULATED SURRENDER OF**  
17 **LICENSE AND ORDER**

18 **Registered Nurse License No. 693086**

19 Respondent.

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
21 proceeding that the following matters are true:

22 PARTIES

23 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
24 Registered Nursing, Department of Consumer Affairs. She brought this action solely in her  
25 official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the  
26 State of California, by Gloria A. Barrios, Supervising Deputy Attorney General.

27 2. Ligaya Sicat Oliveros (Respondent) is representing herself in this proceeding.

28 3. On or about November 28, 2006, the Board of Registered Nursing issued Registered  
Nurse License No. 693086 to Respondent. The Registered Nurse License was in full force and  
effect at all times relevant to the charges brought in the Accusation in Case No. 2011-817. and  
will expire on May 31, 2012, unless renewed.

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## ADVISEMENT AND WAIVERS

## CULPABILITY

## CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered the matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Director may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 693086, issued to Respondent Ligaya Sicat Oliveros, is surrendered and accepted by the Board of Registered Nursing.

14. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent.

1 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
2 license history with the Board.

3 15. Respondent shall lose all rights and privileges as a Registered Nurse in California as  
4 of the effective date of the Board's Decision and Order.

5 16. Respondent shall cause to be delivered to the Board both her wall license certificate,  
6 if one was issued, and pocket license on or before the effective date of the Decision and Order.

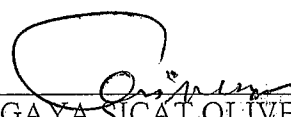
7 17. Upon reinstatement of the license, Respondent shall pay the Board costs associated  
8 with its investigation and enforcement pursuant to Business and Professions Code section 125.3  
9 in the amount of \$8,688.75. Respondent shall be permitted to pay these costs in payment plan  
10 approved by the Board.

11 18. Respondent shall not apply for licensure or petition for reinstatement for three (3)  
12 years from the effective date of the Board of Registered Nursing's Decision and Order. The  
13 Board shall treat it as a new application for licensure. Respondent must comply with all the laws,  
14 regulations and procedures for licensure in effect at the time the petition is filed, and all of the  
15 charges and allegations contained in the Accusation in Case No. 2011-817, shall be deemed to be  
16 true, correct and admitted by Respondent when the Board determines whether to grant or deny the  
17 application or petition.

18  
19 ACCEPTANCE

20 I have carefully read the above Stipulated Surrender of License and Order. I understand the  
21 stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated  
22 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound  
23 by the Decision and Order of the Board of Registered Nursing.

24  
25 DATED: May 13, 2011

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LIGAYA SICAT OLIVEROS  
Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
for consideration by the Board of Registered Nursing.

Dated: May 25, 2011

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
KAREN B. CHAPPELLE  
Supervising Deputy Attorney General

  
GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

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## Exhibit A

Accusation, Case No. 2011-817

*[Faint, illegible markings]*

1 KAMALA D. HARRIS  
Attorney General of California  
2 ALFREDO TERRAZAS  
Special Assistant Attorney General  
3 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
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12 **487 St. Francis Blvd.**  
13 **Daly City, CA 94015**  
**Registered Nurse License No. 693086**

**A C C U S A T I O N**

14 Respondent.

15  
16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
19 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
20 Department of Consumer Affairs.

21 **Registered Nurse License**

22 2. On or about November 28, 2006, the Board issued Registered Nurse License Number  
23 693086 to Ligaya Sicat Oliveros, ("Respondent"). The registered nurse license was in full force  
24 and effect at all times relevant to the charges brought herein and will expire on May 31, 2011.

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27 ///



## STATUTORY PROVISIONS

3. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

6. Code section 726 states, in pertinent part:

The commission of any act of sexual abuse, misconduct, or relations with a patient, client, or customer constitutes unprofessional conduct and grounds for disciplinary action for any person licensed under this division, under any initiative act referred to in this division and under Chapter 17 (commencing with Section 9000) of Division 3.

7. California Code of Regulations, title 16, section 1442, states:

As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life.

## COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

### 3 BACKGROUND

4 9. In or about July, 2008, to November, 2009, Respondent was employed by Country  
5 Villa Oxnard Manor (CVOM), as a charge nurse. CVOM is a skilled nursing/long-term care  
6 facility.

### 7 FIRST CAUSE FOR DISCIPLINE

#### 8 (Gross Negligence)

9 10. Respondent is subject to discipline under Code section 2761, subdivision (a)(1), on  
10 the grounds of unprofessional conduct, in that in or about November, 2009, while on duty as a  
11 registered nurse committed acts constituting gross negligence, as defined in California Code of  
12 Regulations, title 16, section 1442 as follows:

13 a). Respondent stood next to Resident I.G.'s<sup>1</sup> bed. Respondent had her pants down  
14 to her knees. Resident I.G. was fondling Respondent's vaginal area.

15 b). Resident I.G. is a 91 year old male who suffers from dementia.

16 c). Respondent admitted that she engaged in consensual sexual activity with the  
17 resident.

### 18 SECOND CAUSE FOR DISCIPLINE

#### 19 (Sexual Misconduct)

20 11. Respondent is subject to discipline under Code section 726, on the grounds of sexual  
21 misconduct, in that in or about November, 2009, while on duty as a charge nurse at the CVOM,  
22 Respondent committed acts constituting sexual misconduct, as more particularly set forth in  
23 paragraph 10, above.

### 24 PRAYER

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
26 and that following the hearing, the Board of Registered Nursing issue a decision:

27 <sup>1</sup> Initials used to preserve patient confidentiality. The complete patient name may be  
28 disclosed pursuant to a request for discovery.

1        1. Revoking or suspending Registered Nurse License Number 693086, issued to Ligaya  
2        Sicat Oliveros;

3        2. Ordering Ligaya Sicat Oliveros to pay the Board of Registered Nursing the  
4        reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
5        Professions Code section 125.3; and,

6        3. Taking such other and further action as deemed necessary and proper.  
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9  
10       DATED: 4/4/11

Louise R. Bailey by  
LOUISE R. BAILEY, M.E.D., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

*Complainant*

*John  
Dunn*